

REMARKS

Claims 19-24 have been rejected under 35 U.S.C. § 102(a) or 102(e) as being anticipated by U.S. Patent No. 6,090,490 issued to Mokerji. The Examiner contends that Mokerji discloses a multilayer coating comprising a polymeric layer, a metal layer, a corrosion inhibiting inorganic layer and a transparent top coat respectively and therefore anticipates the rejected claims. Applicant respectfully submits that the Examiner has misconstrued the reference because Mokerji fails to disclose a metal layer comprising at least one atomized metal. Mokerji teaches a construction wherein the metal comprises zirconium and/or titanium metal oxides, nitrides, carbonitrides, carbides or alloys but does not teach a construction comprising non-bound metals. Because Mokerji fails to disclose the metal layer recited in Applicant's claims, anticipation has not been established by the Examiner. Consequently, withdrawal of the rejection of claims 19-24 is believed to be warranted and is respectfully requested.

Claims 19-21 and 24-27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,457,598 issued to Shimabukuro et al. The Examiner contends that Shimabukuro et al. disclose a multilayer coating comprising a polymeric layer overlying a substrate, an atomized metal overlying the polymeric coating, a corrosion inhibiting inorganic coating overlying the metal layer and a transparent layer overlying the corrosion inhibiting layer. Applicant respectfully submits that the Examiner has misconstrued the reference. Shimabukuro's reflector comprises a base, a smoothing layer formed adjacent to the base, an aluminum reflecting layer overlying the base and a light transmitting/protective layer overlying the reflective layer. The smoothing layer comprises a high polymer paint such as a polycarbonate, polyallylcarbonate, epoxy, polyimide or polysiloxane paint. The protective layer comprises an inorganic oxide such as a metal oxide. The reference fails to teach either a corrosion inhibiting layer overlying the metal layer or a protective layer overlying a corrosion inhibiting layer as claimed by Applicant. For either of these deficits, the reference does not anticipate the rejected claims. The reference further fails to anticipate claims 25-27 because, as admitted by the Examiner in the 103

rejection discussed below, the reference further fails to teach a second corrosion inhibiting layer between the substrate and the polymeric layer. Applicant submits that anticipation of the claims by Shimabukuro et al. has not been established by the Examiner. Consequently, withdrawal of the rejection of claims 19-21 and 24-27 is believed to be warranted and is respectfully requested.

Claims 25-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mokerji. The Examiner admits that Mokerji fails to teach a second corrosion inhibiting layer. However, the Examiner contends that in view of Mokerji it would have been obvious to one of ordinary skill in the art to provide a corrosion inhibiting metal oxide layer adjacent to the substrate prior to application of other layers recited in the claims based on the Examiner's assertion that such metal oxide layers are well known and conventional. Applicant respectfully disagrees with the Examiner's contention.

Mokerji is directed to a multilayer decorative coating comprising a polymeric coating and zirconium or titanium alloy or compound wherein use of the coating obviates pretreatment of the substrate prior to deposition of the coating and wherein the coating (not the substrate) is protected from abrasion, scratching and weathering. Applicant submits that nothing in the reference teaches or suggests that a corrosion inhibiting layer between the substrate and the multilayer coating is desirable. In fact, the reference teaches away from the use of such a layer because the polymeric layer must necessarily contact the substrate and insertion of any layer between the polymeric layer and the substrate is contradictory to Mokerji's teaching. Applicants direct the Examiner's attention to the Mokerji reference at Column 2, line 67 where it recites:

The polymeric layer functions, inter alia, to level the surface of the substrate, cover any scratches or imperfections in the surface and provide a smooth and even surface for the deposition of the chrome layer.

Therefore, to employ a corrosion inhibiting layer to protect the surface of the substrate in Mokerji's construction would be discouraged and is therefore not an obvious modification as alleged by the Examiner, whether or not such techniques are conventional in the art. Withdrawal of the obviousness rejection to claims 25-30 is believed to be warranted and is respectfully requested.

Claims 22-23 and 28-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimabukuro et al. in view of Mokerji. The Examiner admits that Shimabukuro et al. fail to teach the use of a topcoat layer in the reflector construction. The Examiner contends that it would be obvious to employ the topcoat in Mokerji's decorative coating to Shimabukuro's reflector to achieve the multilayer coating recited in Applicant's rejected claims. Applicant respectfully disagrees with the Examiner's contention. With respect to claims 28-30, Applicant again directs the Examiner's attention to Mokerji's teaching that a polymeric layer must directly overlie the substrate surface. One of ordinary skill in the art would thus be discouraged from applying the teachings of Mokerji to Shimabukuro et al. with respect to claim 25 because the presence of a second corrosion inhibiting layer defeats Mokerji's teachings. Claims 28 and 30 depend upon claim 25 and are therefore not obvious in view of either reference alone or in combination. It is believed that the withdrawal of rejections to claims 28-30 is warranted.

With respect to claims 22-23, the Examiner contends that it would be obvious to employ the coating taught by Mokerji to the reflector construction of Shimabukuro et al. to arrive at Applicant's claims. Applicant again disagrees with the Examiner's rejection. Shimabukuro et al. teach that the sole advantage of the inorganic metal oxide layer overlying the aluminum reflective layer is to prevent degradation of the non-bound aluminum. Nothing in Shimabukuro teaches or suggests that this layer is not wholly effective; i.e. that an additional protective layer would provide the reflective layer with any added protection against oxidative degradation. The protective topcoat disclosed by Mokerji provides protection to the non-atomized decorative zirconium or titanium metals. Mokerji makes no teaching or suggestion that such a topcoat would be useful in conjunction with a metal oxide layer to protect an atomized metal from oxidation. The metal oxide layer of Shimabukuro et al. serves to protect a metal layer not found in the construction disclosed by Mokerji and the Examiner has not provided any motivation for one skilled in the art to employ Mokerji's topcoat layer to Shimabukuro's reflector. For these reasons, withdrawal of the rejection of claims 22-23 is believed to be warranted and is respectfully requested.

CONCLUSION

In light of the foregoing, it is respectfully submitted that claims 19-30 are in condition for allowance and notice to that effect is hereby requested. It is not believed that any fees are required with this response. However, should the Commissioner determine that and any fee is necessary, authorization to charge such fees to Deposit Account No. 18-0988, Docket No. AREWP0105US is hereby provided.

Respectfully submitted,
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